

Remarks/Arguments:

Claims 1, 3, 4, 7, 8, 28-32, 35, 37, and 42-55 are the pending claims in this application. Claim 7 has been withdrawn from consideration. Claims 23, 24, 26, and 38-41 have been cancelled without prejudicing applicants' rights to reintroduce these claims in this application should the Examiner agree to remove the restriction requirement or to pursue these claims in a divisional application. New claims 43-54 have been added. Claim 55 has been newly added but is listed as withdrawn, as it is directed to non-elected Group II. No new matter has been added.

As stated in the Restriction Requirement dated December 16, 2008, the Examiner requires that claims of either Group I (claims 1, 3, and 4, drawn to a method of decomposing nitrogen dioxide (NO₂) to nitrogen monoxide (NO) in an exhaust gas on a lean-burn internal combustion engine) or Group II (claims 7, 8, 23, 24, 26, 28-32, 35, and 37-42, drawn to an apparatus for an internal combustion engine) be elected for prosecution. Applicants elect to prosecute the claims of Group I (claims 1, 3, and 4, drawn to a method of decomposing nitrogen dioxide (NO₂) to nitrogen monoxide (NO) in an exhaust gas on a lean-burn internal combustion engine). Currently amended claims 8, 28-32, 35, 37, and 42, and newly added claims 43-54 are all method claims and are drawn to a method of decomposing nitrogen dioxide to nitrogen monoxide. Therefore, these claims are consonant with this restriction requirement and should be considered along with claim 1, 3, and 4.

This election is made with traverse. As indicated in 37 C.F.R. § 1.499, for an Examiner to require restriction in a national stage application, the Examiner must find that a national stage application lacks unity of invention under Rule 475. As Indicated in Rule 475(b), a national stage application containing claims to different categories will be considered to have unity of invention if the claims are drawn to certain combinations of categories. One such combination of categories is listed in subparagraph (4), namely, a process and apparatus specifically designed for carrying out the process. The applicants request the Examiner to reconsider withdrawn claim 7 and compare it with new method claim 43. It is submitted that these claims are precisely as set forth in Rule 475(b)(4), namely, a process (claim 43) and a system or apparatus (claim 7) specifically designed for carrying out the process. Similarly, claims 1 and 55 also share corresponding special technical features and are believed to

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relate to a single, general inventive concept. On this basis, the applicants traverse the Restriction Requirement and reserve the right to reintroduce the system claims corresponding to any allowed method claims, upon indication of allowance.

Respectfully submitted,



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The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

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